GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:7491
ANSWERED ON:15.05.2000
MAINTENANCE ALLOWANCE FOR DIVORCED WOMEN .
JAYABEN B. THAKKAR

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the maintenance allowance for vagrant women was fixed under section 125 of Code of Criminal Procedure 27 years ago:

(b) if so, the details thereof;

(c) whether the Law Commission has recommended to bring changes in the said section and increase the maintenance allowance for the divorced women;

(d) if so, the details thereof; and

(e) the steps taken by the Government in this regard?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI)

(a) to (b): As per section 125 of the Code of Criminal Procedure, 1973 (2 of 1974),the maximum monthly allowance for maintenance is rupees five hundred.

(c) : Yes, sir.

(d): The Law Commission of India in its 154th Report on `The Code of Criminal Procedure, 1973` (Volume I) has,inter alia, recommended enhancement of the ceiling of maintenance allowance, which will be applicable to divorced women as well, to rupees five thousand per month. The recommendation is under examination of the Ministry of Home Affairs in consultation with the State Governments.

(e): In view of the depreciation of value of money, section 125 of the Code of Criminal Procedure,1973 has been proposed to be amended to enhance the maximum limit for payment of maintenance allowance from rupees five hundred per month to rupees one thousand five hundred per month vide clause 17 of the Code of Criminal Procedure(Amendment) Bill, 1994 which was introduced in the Rajya Sabha on 9th May, 1994. The said Bill is pending.